

**HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Criminal Misc. Application No.416 of 2005**

**Abdul Razzak  
S/o Abdul Khalik  
R/o House No. 1012  
C-Block Shaheed Nagar  
Bilal Chowk  
U.P. Border  
P.S. Shahibabad**

**.....Applicants**

**Vs.**

- 1. State of Uttaranchal  
through S.S.P. Haridwar**
- 2. Judicial Magistrate, Roorkee  
District Haridwar.**
- 3. Smt. Shabnam D/o Late Inaamulla  
R/o House No. 24 Mohalla Satti  
P.S. Kotwali, Roorkee  
District Haridwar**

**.....Opposite Parties**

Shri Tribhuwan Phartiyal, learned counsel for the applicant.  
Shri G.C. Kandpal, learned counsel for respondents

**Hon'ble Prafulla C. Pant, J.**

1. This is application for disposing of the petition in the light of the compromise entered between the petitioner and respondent No. 3.

2. Heard Shri T.S. Phartiyal, learned counsel for the petitioner and Shri G.S. Kandpal, learned counsel for the respondents.

3. It is a case of matrimonial dispute. An affidavit filed by the petitioner-Abdul Razzak shows that the contesting parties have entered into compromise. Smt. Shabnam (respondent No. 3) has also filed an affidavit verifying that settlement has been arrived at between the parties. In para-6 of her affidavit, she has stated that Suit No. 16 of 2005, filed by the has already been disposed of in terms of the compromise. Learned counsel for the parties have no

objection if the criminal proceedings arising out of crime No. 157 of 2004 (Criminal Case No. 1300 of 2004) under Section 498-A, 323 of I.P.C. and under Section 3/4 Dowry Prohibition Act, pending before the Judicial Magistrate, Roorkee, Distt. Haridwar, are quashed.

4. Considering the fact that it is a matrimonial dispute in which the parties have entered into compromise, in the interest of justice, in view of the submission made by the learned counsel for the parties, this petition under Section 482 of the Code of Criminal procedure, 1973, is allowed and the proceedings in the aforesaid Criminal Case No. 1300 of 2004 are quashed.

**(Prafulla C. Pant, J.)**

Dt: 21.12.2005

Sweta